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February 11, 2022

By ECF

Hon. Kiyo A. Matsumoto  
United States District Judge  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: Broecker et al. v. Martino et al., 1:21-cv-06387-KAM-LB

Dear Judge Matsumoto:

This office represents Defendants District Council 37, AFSCME, AFL-CIO ("DC 37"); Local 372 of DC 37; Local 1251 of DC 37; Henry Garrido; Shaun Francois; and Francine Francis (together, "DC 37 Defendants") in the above-referenced case.

We write pursuant to the Court's January 27 order requiring Defendants to file a response to the January 26 pre-motion conference requests of Defendants New York City Department of Education [Docket Entry #61] and United Federation of Teachers [Docket Entry #62]. We apologize to the Court for not filing a response earlier, but it was only two days ago that we were retained by the DC 37 Defendants. The DC 37 Defendants have no objection to the requests of the New York City Department of Education and the United Federation of Teachers, and have no further position on those requests at this time.

We are currently reviewing the pleadings and considering whether the DC 37 Defendants will file their own request for a pre-motion conference on an anticipated motion to dismiss.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Peter D. DeChiara".

Peter D. DeChiara

PDD:amh  
cc: Counsel of Record (via ECF)